

FW: Read out - FPT DMs ad hoc - DMs February 7 2022

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Salut Talal, here's the read-out from the 4 pm call. Thanks to Tina!

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From: Giguère, Tina <Tina.Giguere@ps-sp.gc.ca>
Sent: Monday, February 7, 2022 6:19 PM
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Subject: Read out - FPT DMs ad hoc - DMs February 7 2022

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Call – FPT Deputy Ministers call – February 7, 2022

DM Stewart:

- Protest of significant proportions we have not seen before. Today is read out of what Canada has been doing and thinking. Also mutual understandings. Not alone, others have seen protests. Other jurisdictions have seen different experience. Ottawa is seeing same situations. If following situation is evolving, police is enforcing the laws. Now have injunction for police to enforce. Genesis of situation is in the views across the country about the evolving state of affairs with pandemic and restrictions. Have been joined with others in other forms of grievance and have made toxic protest. Intel: there has not been significant element of violent extremism. We have discussed this before, can set up another meeting with CSIS and how monitoring threats to democracy. For now there is no planning going on and no degree of violent extremism going on, not saying that this will happen.
- On people protesting with accordance with the law. In Ottawa, the law has been disregarded. The norms of behaviour and laws. For downtown Ottawa, sounds of horns, lawless behaviour. Police have not been able to control. Have heard comments made to federal ministers: do something. CBSA, Transport and PS officials have heard from our Ministers. Roles of police and govt, have not tried to get involved in enforcement but staying in touch with police. Police including rcmp and outside of Ottawa have supported, and from qc. Have strayed in close touch. Political layer is engaged. Strong desire to not engage protesters and to let enforcement take its course.
- Still in the middle of it, hoping better in coming days. But is setting standard to worry about, setting standard for behaviour, how to go above the norms and laws. Those dealing with blockades know this. Not ruling out the possibly that this will continue and that we need to guard against. Is a border dimension, was cross border vax issue in AB.
- Try to prevent and be prepares for cross border commerce issue.
- Mike Keenan here from Transport: Some things thinking about so not to occur in the future. In Ottawa, people will be called to account. Will take time to happen: will have fines, tickets, they represent companies corporate interests, we are increasingly interested on collective basis in trying to ensure there is awareness of consequences of unlawfull protests. Goes beyond renewing licences and registration, but to broader society. Want to give DM Transport

opportunity to discuss, not limited to transportation. Are in the world of this behaviour not rewarded and should be deterred.

John Ossowsk CBSA:

- AB: major commercial vehicle traffic. One lane open now. Still protesters there, but allowing through. Normally double. Other area is ambassador bridge, blocking in Windsor/Detroit area, major point of entry. Blocked. Is a police of jurisdiction issue, working with POJ to share intel but comes down to enforcement. Ready to work with PT partners to share what we know. Will continue to work with them.

Mike Keenan Transport:

- Is huge emergency in Ottawa and lawlessness. The AB area making progress. Rcmp working but barely. Could happen anywhere. Important to all. Ottawa is interesting. Have discussed with Ottawa and police, many people do not think they are breaking the law, surprise when police enforcing. If there is compelling sense that insurrection coming, that most will leave. Hard core will stay, but numbers game. If participants know they are subject to major fines and to earn from their commercial operations and at risk, they will reconsider. Provincial roads, not federal. There has been discussions with fed motor vehicle operators, bring federal authorities in to play and enforcing, Criminal Code, violation of provincial highways laws. In AB Critical Infrastructure Defence Act, in AB provides serious penalties, NS has some. At minimum is combo of provincial highway rules and Criminal Code offences. In Ottawa, there is possibility to communicate clearly that could have anytime there after hour XX can be Criminal Code offences and loss of licence. Use of multiple authorities and maximum enforcement. Would help, to do this consistently, could provide clarity to commercial, will show can hurt commercially and they would avoid participation. s.37

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Need

to coordinate. In Ottawa, if Ministry of Transport drive this, will work for many but not all, not QC and SK and AB with those licences. In Ottawa, police have all trucks mapped, sense is that AB and SK have this as well. Looking to align govts in max enforcement strategy, to have positive effect in these 2 areas. Challenge with tow truck industry. Can apply similar strategy, if show up, triple rates, and only those that show up will get calls for police and muni towing. In QC have seen strategy for highway. Want to see alignment in max enforcement strategy to help the POJs to end these blockades.

PS Stewart :

- Lawful protest is feature of rights and country. Must allow it to happen but when turns to beyond, have seen how worry and get prepared. When unlawful and to encourages not unlawful. Looking to cooperation.

AB DM:

- All share concern. Growing alarm, future. Where have to do thinking as Mike said, in AB have legal tools, police determining how to apply. Have been clear communications at the border with those involved. Maybe not communicated in Ottawa.

AB Denis/Marlin:

- AB still sense of uncertainty. Pleased to hear working to max enforcement strategy. Will convey to the Prov police service, to understand the fed/pro posture is. Has not been much direct enforcement. Issue is Critical Infrastructure Act has meaningful consequences and is not applied. At the officials level now getting feedback that other protest groups asking govt why not have applied yet. And boxing AB in. Have attempted to allow the rcmp to make operational decisions but created frustration. Will convey back to Minister, as well as RCMP.

Doug Scott Deputy DM BC

- Lines of communications open is key. Things that resonated. That the protesters don't know that are being unlawful is key comms element. Public is looking at how this will be handled so need to get it right. Important to coordinate. In terms of max enforcement posture, one is key to discuss, first time hearing it. First thought that yes right but need time to take that away. In BC have been fortunate. On max enforcement, well taken but need to put thought to that.

Wayne Rideout BC

- Different approach: Govt has every right to set public safety expectations. Police interprets the Constitution differently and putting policy on it makes sense. Regarding Transport Keenan all

of govt approach, colleagues have this new phenomenon is different. We have seen that allowing large trucks brings mischief, and police have right to prevent offence when part of a convoy. Is seeing what has happened, the experience will change response. In BC, if hear this coming to the Legislature, the POJs will have right to prevent the criminal offence now that what we have seen in Ottawa. Would benefit from at national level – victim impact statement from Ottawa on how this has had a criminal impact to society and how PTs can link that to future, and can share with POJs and against the Constitution. When Convoy declares its intent, enters the criminal space. Need a govt response. Would benefit from a package, what has happened in Ottawa, defensible, victim impact statements and criminal view. What PS and RCMP can combine in a doc for PTs to say will now allow to take place. Is the victimization that has changes the dynamic. And as grounds for future Criminal Code discussion.

BC DM Fyfe:

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QC Morneau:

- We see what is happening in Ottawa, and in AB. In QC were prepared, worked with police, not max enforcement but max of law, but was clear from police that there would be no tolerance or intolerance. Was an application of law at the muni level, did the job, was not perfect. They could come back. Importance is the coordination and communication. The link with federal and prov govt is key. The idea to max law is interesting but need to see if other options, would like to discuss with other partners. Need to see if elements that could be missed. QC's strategy was not to tolerate, will always be some that will try to exceed the limits. Need to balance actions. Need to discourage people from manifesting and going beyond but also do not wasn't to provoke them by taking away their rights. Will be key to be uniform across all. But need to leave room for ability to lawfully protest.

Ontario ADM Stubbings:

- Key for govts across Canada to make a statement for police officers, across North America have seen situations. Need to reframe a strategic collective at the earliest opportunity. Need to work on the narrative together.

John Ossowski CBSA: Issue is large trucks, tow trucks and cannot compel drivers. Emergencies Acts could be used to compel.

Mike Comeau NB: Support reference to package on lessons learned raised by BC Rideout. Would welcome brief offered by PS on CSIS on violent extremism to ensure confidence in such situations.

Michael Keenan Transport:

- On enforcement we do not direct enforcement but do provide context. Police would welcome defined consequences to unlawful acts. Support idea of victim impact statements.
- Support 'strategic enforcement' as name. This requires govts to declare publically and align, and declare the intent and potential consequences involved. This could be beneficial impact but needs to be clear on all the consequences up to 'X'. Need to ensure nothing is operational to the police, but supportive of the police.

NS Hackett:

- NS learned much this summer with blockades. Key is early discussions with police and organizers to prevent escalation. NS has Emergency Measures Act, major fines, police.

PS Steward: will follow up on points raised.